CITY of ELGIN

COUNCIL MINUTES FOR SEPTEMBER 8, 1998

COUNCILORS PRESENT- Glenn Clark
Pat McMullen
John Stover
Berta Churchill
John McElravy
Rick Smith - Mayor
ABSENT- Leroy Short

Call to Order
The meeting was called to order at 7 pm by Mayor Rick Smith.

Approval of Minutes
The Mayor called for approval of the minutes of the meeting of August 11 & 25, 1998. Councilor Churchill moved to approve the minutes of August 11 & 25, 1998 as presented, with Councilor McMullen as second. The vote was unanimous for approval, motion carried.

Supervisors Reports
The Mayor called for the supervisors reports.

Police- Chief Sibley presented his 3 month report. He noted that most of his work is responding to the public's complaints and he doesn't have any specific objectives other than to deal with infractions and crimes. He said he would like to have more frequent discussion with the public safety committee members.

Other items mentioned were over-length vehicles parallel parking on 8th & 10 streets, placing a stop sign on Baltimore at 7th street, complaints regarding an unoccupied trailer belonging to Russ Osterloh. Councilor Stover suggested that Chief Sibley should investigate the possibility of petitioning the State to lower the City speed limit to 20mph.

Public works- Kyle Boylen, absent; no report
Library- Sandra Good, absent; written report submitted
Fire- Chief McDonald, absent; no report
Ambulance- Bobbie Laber, absent; no report
Municipal Court- Ralph Howell submitted his monthly court report. He informed the Council that court was scheduled for the 9th and 30th of this month.

7:15: The time for a scheduled hearing having arrived, Mayor Smith opened the hearing for a Community Development Block Grant proposed project at Mallard Heights. Margaret Davidson of Community Connections was present to explain the need for the development. Doug and Tony Chrisman have received financing to construct a low income apartment complex on a parcel along the north side of Hartford, just west of N. 15th. The CDBG funds would provide resources to extend the water and sewer to the apartments and to construct a street and sidewalk to the apartments. A preliminary site plan was presented showing the street development with a cul-de-sac street. After discussion it was the consensus of the Council that development of a paved street and a sidewalk along the east side of the street would be adequate. The plan option providing a circular turn-around at the north end of the street was the preferred alternative. It was the consensus of the Council that, lacking a specific standard for this item, the water and sewer lines are to be extended from the east boundary of the parcel, along Hartford to the west boundary of the parcel as a part of this development. After discussion, Councilor Churchill moved to proceed with a grant application for the development as stated above and to approve the Mayor's signature on the required grant documents, with Councilor McMullen as second. The vote was unanimous for approval, motion carried.

7:30 Zone Change, Terry Shepherd property

Terry Shepherd has request a zone change for his property on Highway 82 (South 8th Ave) between Cedar Street and Dogwood Street. Mr. Shepherd wants to open a small engine repair shop on the property. The proposed

business would front onto Dogwood. The current zoning for this property is residential. Those properties along South 8th Ave, on Highway 82 are in four zones, Industrial, General Commercial, Central Business and Residential. 260 feet along the east side of 8th and approximately 220 feet along the west side of S 8th are in a residential zone.

The properties along Highway 82 are being converted to commercial uses as the need arises. Most of the prior residential uses have been converted to some commercial use. Continued economic growth of the City would eventually provide that all the properties fronting Highway 82 would convert to commercial uses.

The Shepherd property is adjacent to the industrial zone to the south and the General Commercial zone to the east. There is only 70 feet of west-side Highway frontage to the north of this parcel that is in the residential zone. The request for a change of zone to commercial is consistent with the existing land use patterns and reflects the natural growth of commercial uses.

Lanny Robson was present to object to any zone change that would allow degradation of his property, which west of and adjacent to the Shepherd property. Mr. Robson complained that Shorts were using the area next to his property to store salvaged autos; that the City did not properly vacate a portion of Dogwood and that he has lost a buildable lot. Mr. Garlitz asked for a point of order, noting that the issues raised by Mr. Robson were not specific to the zone change, and needed to be addressed separately. No further comments regarding the zone change were presented or receive prior to the hearing.

After consideration of the testimony and the findings presented, Councilor Stover moved to continue the process to change the zoning as requested, with Councilor McMullen as second. The vote was unanimous for approval, motion carried. An ordinance making the zone change as stated will be prepared and presented to the Council at its October meeting.

Citizens to Speak

Mayor Smith recognized Mr. Robson. He reiterated the complaints issued previously, indicating that he would employ his attorney to get satisfaction. He outlined the failure of the City, as he understood it, to properly vacate Dogwood.

Mr. Garlitz reviewed the actions of the City in vacating the excess width of Dogwood, which had been initiated by Mr. Robson. The requirements of State law placed the ownership of the vacated portions of Dogwood with the property owners on the south side of Dogwood. Nothing the City did or didn't do could change that requirement. The City attempted to have the property owners to the south quit-claim the vacated north portion of Dogwood to the owners on the north. However, after over a years time this was not successful. At least one of the north side property owners negotiated a transfer of ownership with the south side land owners.

Mayor Smith asked Mr. Robson if he had ever approached the Shorts in regard to transferring ownership. He stated that he has never had a conversation with the Shorts. Whereupon, Mayor Smith indicated that he probably should make personal contact with them to attempt to bring the matter to a conclusion.

Old Business

Site Plan review, Nasura service station 8th & Alder.

Brad and Karen Nasura provided a site plan to the City Council for the development of a service station. The property use will basically be within the existing structures. Fuel pumps will be placed in the existing island from the prior service station. Two entrances off of 8th Ave, at existing curb cuts are indicated together with an approach off of Alder Street.

Mike Buchanan of ODOT offered some suggested changes, namely to eliminate both existing entrances on 8th Ave and widen the alley entrance to accommodate both the service station and the alley. After discussion it was the consensus of the Council that the existing access to 8th on the north side of the parcel remain open and that the south access be a combined access for the alley and the service station. The net effect being to eliminate one entrance onto 8th Ave. The Nasura's were agreeable to this approach. Councilor Stover moved to approve the site plan presented, with the modification to combine the southern access on 8th Ave with the alley entrance, with Councilor McElravy as second.

The vote was unanimous for approval, motion carried.

Recorder/Administrator- Joe Garlitz reported that the Blue Mountain Translator District is asking for a letter of support for grants they are preparing. It was the consensus of the Council to indicate the City's support by providing a letter as requested.

Committee Reports
The Mayor then called for the committee reports.

Administration: Councilors Clark and Stover reported that the bills had been reviewed.
Public Works: Councilor McMullen and Churchill, no report.
Public Safety: Councilor McElravy, no report.

New Business
Community/economic development: The scheduled town meeting regarding the economic development future of Elgin was discussed. The meeting is to provide a sense of the direction the community would like to take in regard to future development, job creation, solicitation of business, providing for developable industrial lands, etc. The meeting is scheduled for September 22 at the Community Center.

Correspondence
OEDD, Jill Miles announcing an award of $8,620 grant for Hunaha Park.
Book Publishers, re. updating schedule for City Code. They are estimating a cost of just under $1,000 to update the City code from 1994 to the present. This has been budgeted.

Good of the Order
Councilor Churchill moved to approve the bills as presented, with Councilor McMullen as second. The vote was unanimous for approval, motion carried.
Councilor McMullen moved to adjourn, with Councilor Clark as second. The vote was unanimous for approval, motion carried.

Minutes respectfully submitted;

Joe Garlitz,
Recorder/Administrator

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